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In re Application of
Vincent JENNINGS, et al
Application No. 10/519,168 : DECISION ON PETITION
Filed: December 20, 2004 :
Attorney Docket No. 81044893 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed April 28, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, March 2, 2007, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on June 3, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$1540; and (3) an adequate statement of unintentional delay.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

Telephone inquiries concerning this decision should be directed to Diane Goodwyn at (571) 272-6735.

This application is being referred to Technology Center AU 3616 for appropriate action by the Examiner in the normal course of business on the reply received April 28, 2008.



Thurman Page
Petitions Examiner
Office of Petitions



Fee History
Query
Revenue Accounting and Management

Name/Number: 10519168

Total Records Found: 11

Start Date: Any Date

End Date: Any Date

Accounting Date	Sequence Num.	Fee Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
05/01/2008	00017054	4	<u>1806</u>	\$180.00	05/01/2008	CC
04/29/2008	00003015	4	<u>1453</u>	\$1,540.00	04/28/2008	CC
12/05/2005	00000057	1	<u>1632</u>	-\$500.00	12/20/2004	DA 061510
12/05/2005	00000058	1	<u>1642</u>	\$400.00	02/01/2005	DA 061510
12/05/2005	00000059	1	<u>1615</u>	\$200.00	12/20/2004	DA 061510
03/10/2005	00000016		<u>8021</u>	\$40.00	02/21/2005	DA 061510
03/10/2005	00000018		<u>8021</u>	\$40.00	02/21/2005	DA 061510
03/10/2005	00000046		<u>8021</u>	\$40.00	02/22/2005	DA 061510
01/07/2005	00000270	1	<u>1631</u>	\$300.00	12/20/2004	DA 061510
01/07/2005	00000271	1	<u>1632</u>	\$500.00	12/20/2004	DA 061510
01/07/2005	00000272	1	<u>1633</u>	\$200.00	12/20/2004	DA 061510